

EXHIBIT F

KEVAN BARTLEY
STYLLER vs HEWLETT-PACKARD FINANCIAL SERVICESNovember 06, 2020
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<p style="text-align: right;">Page 157</p> <p>1 Q. Mr. Bartley, could you turn to Page 1221 of 2 this exhibit?</p> <p>3 A. I'm sorry. The air mouse is not gripping 4 very well. 1221.</p> <p>5 MR. BUNIS: Drag it out. Hold on 6 one second, Dimitry. I just got to make the window 7 a little bigger.</p> <p>8 Q. Okay.</p> <p>9 A. I can see it. I can see it.</p> <p>10 Q. One question, did you see the top of that 11 e-mail?</p> <p>12 A. Yes, I believe I do.</p> <p>13 Q. Okay. And you see that you are forwarding 14 the whole e-mail exchange below to Mr. Ric Javed of 15 TT Global? Do you see that? Your e-mail says, 16 "Please see below," and then below is the exchange 17 of e-mails for the rest of this document. Do you 18 see that?</p> <p>19 MR. BUNIS: You mean the very top 20 of the e-mail, Dimitry? You were pointing us to a 21 different page, I think. The very, very top of the 22 exhibit?</p> <p>23 MR. JOFFE: Mr. Bunis, I was 24 paging to the exact correct page. It's DEF1221. I</p>	<p style="text-align: right;">Page 159</p> <p>1 trying very hard to deal with the technology that 2 you and that we're all dealing with, and my efforts 3 are solely to make sure that we're able to 4 accurately review the exhibits that you have put in 5 front of the witness, and that's it. And I really 6 have to say that it's rude that you would describe 7 my efforts to help as idiotic. And I don't think 8 that that's called for or any way that I would treat 9 you, and I would ask that you to refrain from 10 that --</p> <p>11 MR. JOFFE: Idiotic colloquy with 12 you, but this exhibit was shared with you before the 13 break. You had 45 minutes for the break. The 14 witness reviewed the exhibits in full. You reviewed 15 the exhibits in full because you put it in front of 16 him. I've been asking you about this exhibit for 17 15 minutes now, and you don't understand what page 18 I'm referring to when I specifically direct you.</p> <p>19 You're not trying to help, Michael. Don't 20 bullshit me. You're trying to steal my time. 21 That's what you're trying to do. You're trying to 22 put answers in witness mouth and stop him from 23 answering my questions. That's the sole thing that 24 you're trying to do.</p>
<p style="text-align: right;">Page 158</p> <p>1 told you it's on the top of the e-mail. Your 2 questions right now betray either your complete 3 comprehension of the subject matter or your 4 deliberate attempt to delay my deposition and the 5 witness answering questions.</p> <p>6 These only questions on your part. I 7 specifically identified the page number. I 8 specifically identified what e-mail. And I read it 9 out, and I told the dates and the people involved.</p> <p>10 Are you so blind not to see it on the page?</p> <p>11 Q. Mr. Bartley, my question is to you: Do you 12 see that you forwarded the whole e-mail exchange to 13 Mr. Ric Javed of TT Global on March 25th?</p> <p>14 MR. BUNIS: Before you answer the 15 question, I just want to say, Dimitry, that --</p> <p>16 MR. JOFFE: I don't want you to 17 say anything --</p> <p>18 MR. BUNIS: I object personally --</p> <p>19 MR. JOFFE: -- don't say anything. (Unreportable crosstalk.)</p> <p>20 MR. BUNIS: And that I'm idiotic 21 and that I'm incompetent.</p> <p>22 MR. JOFFE: Yeah, yeah, yeah.</p> <p>23 MR. BUNIS: I assure you that I'm</p>	<p style="text-align: right;">Page 160</p> <p>1 You're also trying to get me off, which 2 you're succeeding sometimes, but I'm going back to 3 calm, cool, and collected, and I will ask 4 Mr. Bartley to tell me whether he forwarded the 5 whole e-mail exchange we've been looking at in this 6 exhibit to Mr. Ric Javed of TT Global on March 25th, 7 2013.</p> <p>8 A. Based on what I'm seeing in this e-mail, 9 that appears to be correct.</p> <p>10 Q. Okay. So having forwarded this e-mail 11 exchange to a third party, TT Global, there is no 12 privilege in anything that's in this exchange; 13 correct, Mr. Bartley? If you want to clarify --</p> <p>14 MR. BUNIS: Objection.</p> <p>15 Q. -- with your attorney, you might -- we take 16 a break. But I represent to you that by forwarding 17 this e-mail chain to third party, TT Global, 18 whatever is below that, privilege is waived.</p> <p>19 You want to take a break and discuss this 20 matter with your counsel, or you will take my word 21 that by forwarding it to third party, the whole 22 communication is no longer privileged? Do you want 23 to take a break and discuss it with your lawyer, 24 Mr. Bartley, because if you don't, I will --</p>

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<p style="text-align: right;">Page 193</p> <p>1 MR. BUNIS: Objection. Calls for 2 speculation. Calls for a hypothetical. 3 You can answer. 4 A. I'd like to answer. I'm uncomfortable with 5 answering a question that starts with "hypothetical" 6 or "hypothetically." If you could restate or 7 reframe the question, I might be able to answer. 8 Q. Did TT Global send its transceivers photos 9 and information to H3C in 2013? 10 MR. BUNIS: Objection. Asked and 11 answered. 12 A. I'm sorry. That seems to be a different 13 question to what you were initially asking. 14 Q. No. Mr. Kevan Bartley, you are not 15 answering any of my questions, so I have to go 16 around and try to ask you a question that you will 17 be able to answer, and you haven't been. We have on 18 record -- I'll go through it. I will show how many 19 questions you answered and how many questions you 20 evaded answering. 21 Then I will show how many questions 22 Mr. Bunis objected to, so don't tell me that, that 23 I'm not -- you know, trying to confuse or something. 24 I'm trying to get an answer to a simple question.</p>	<p style="text-align: right;">Page 195</p> <p>1 that you -- 2 MR. JOFFE: Yes, I do. 3 Q. Mr. Bartley, as part of H3C or a part of 4 HPFS at the time, I accuse you as part of the 5 company of destroying exonerating evidence, material 6 exonerating evidence. And you know what, and paying 7 third party to destroy evidence. You pay for the 8 evidence destruction. Yes, that's my charge, but 9 that's not here or there. I want to ask you 10 questions about your e-mail. My attitude doesn't 11 matter. What matters is my simple question. 12 Did TT Global send its transceivers, 13 photos, and information to H3C, did H3C inspected 14 the transceivers, and did H3C then told you that the 15 origination is questionable? That's my question. 16 MR. CALLAGHAN: Dimitry -- 17 MR. BUNIS: That's three 18 questions. I'm going to instruct the witness not to 19 answer. It calls for attorney/client communication. 20 Q. Okay, then. Do you know Mr. Bartley 21 whether the equipment was destroyed in Dubai? 22 A. To the best of my knowledge, the direction 23 that we provided TT-G to destroy the product was 24 carried out.</p>
<p style="text-align: right;">Page 194</p> <p>1 It's your e-mail. It's on a critical subject of 2 your -- you destroying incriminating and exonerating 3 evidence. You think we're going to leave it like 4 that, when you destroy the evidence that would set 5 our guys free a long time ago? Do you think we're 6 going to let it go? No, we won't. 7 MR. BUNIS: Dimitry, entirely 8 improper. You're badgering the witness. 9 MR. JOFFE: I'm not badgering the 10 witness. 11 MR. BUNIS: Stop. 12 MR. JOFFE: I'm trying to ask 13 him -- 14 MR. BUNIS: You are badgering the 15 witness. You have accused the witness of destroying 16 evidence. 17 MR. JOFFE: You -- 18 MR. BUNIS: You are 19 misrepresenting -- 20 MR. JOFFE: Yes, I do. Michael, I 21 do -- 22 (Unreportable crosstalk.) 23 MR. JOFFE: As part of HP -- 24 MR. BUNIS: Different question</p>	<p style="text-align: right;">Page 196</p> <p>1 Q. How did you provide those instructions, 2 Mr. Bartley? 3 MR. BUNIS: Just be careful in 4 answering the question not to reveal any 5 attorney/client communication. 6 Q. How? Meaning by e-mail? By letter? How? 7 What is the mode of communication for those 8 instructions to TT Global to destroy its 9 transceivers? 10 A. As I sit here today, to the best of my 11 recollection, it would have been via an e-mail. 12 Q. By e-mail? 13 A. That's correct. 14 Q. By e-mail to TT Global; correct? 15 A. That would be correct, to the best of my 16 knowledge as I sit here today. 17 MR. BUNIS: Let him finish. 18 Q. Who send that e-mail to TT Global with 19 instructions to destroy transceivers? 20 MR. BUNIS: If you know. 21 A. I don't recall specifically. 22 Q. Give me your best guess, best shot. 23 MR. BUNIS: Don't guess. You're 24 under oath.</p>

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<p style="text-align: right;">Page 197</p> <p>1 Q. Was it you, Mr. Bartley?</p> <p>2 MR. BUNIS: He testified he didn't</p> <p>3 recall who sent it.</p> <p>4 Q. He doesn't recall. I'm trying to refresh</p> <p>5 his recollection. We'll go one by one. No problem.</p> <p>6 Was it you, Mr. Bartley? This is an</p> <p>7 incredibly critical e-mail in this case. This</p> <p>8 e-mail that was not produced -- I gave it to you.</p> <p>9 It was not produced. It is not privileged because</p> <p>10 it went to TT Global. It's not listed on any</p> <p>11 privilege log. It's in an e-mail instructing TT</p> <p>12 Global to destroy exonerating evidence and to pay TT</p> <p>13 Global for its instruction, correct, Mr. Bartley?</p> <p>14 MR. BUNIS: This e-mail was</p> <p>15 produced.</p> <p>16 Q. You have to tell me who sent that e-mail.</p> <p>17 MR. BUNIS: What e-mail are you</p> <p>18 talking about?</p> <p>19 MR. JOFFE: Mr. Bartley just</p> <p>20 testified that there was e-mail sent to TT Global</p> <p>21 with instructions to destroy transceivers. You</p> <p>22 missed that part, Michael. It's on the record.</p> <p>23 That's for you, but it's on the record now.</p> <p>24 Mr. Bartley testified that there was an e-mail</p>	<p style="text-align: right;">Page 199</p> <p>1 MR. BUNIS: Objection. Misstates</p> <p>2 his prior testimony.</p> <p>3 You can answer. Don't speculate.</p> <p>4 A. I can't speculate. I don't recall.</p> <p>5 Q. Okay. Well, who was in touch with Mr. Ric</p> <p>6 Javed about this inspection? Was it you,</p> <p>7 Mr. Bartley?</p> <p>8 MR. BUNIS: Objection. About this</p> <p>9 inspection?</p> <p>10 Q. Mr. Bartley, we saw e-mail where you</p> <p>11 communicate with Mr. Javed of TT Global about this</p> <p>12 sample, photos, and information about the</p> <p>13 transceivers; right? That was you. It wasn't</p> <p>14 Mr. Gill --</p> <p>15 A. Yes.</p> <p>16 Q. -- it wasn't Mr. Ching Chua. It wasn't</p> <p>17 Ms. Jessica Liu. It was you; true?</p> <p>18 A. Yes, that's correct.</p> <p>19 Q. So, Mr. Bartley, could you tell me -- and</p> <p>20 maybe that will refresh your recollection that you</p> <p>21 were the contact person. Maybe you were the one who</p> <p>22 sent the instructions to TT Global to destroy the</p> <p>23 transceivers in Dubai. Could it be that it was you?</p> <p>24 MR. BUNIS: Objection. Asked and</p>
<p style="text-align: right;">Page 198</p> <p>1 communication to TT Global with instruction to</p> <p>2 destroy those transceivers.</p> <p>3 Q. And I'm asking you, who send those</p> <p>4 instructions, Mr. Bartley?</p> <p>5 MR. BUNIS: Objection. Misstates</p> <p>6 his prior testimony.</p> <p>7 You can answer.</p> <p>8 Q. I'm waiting for your answer, Mr. Bartley.</p> <p>9 To that question, I will wait forever.</p> <p>10 A. I believe I answered the question. I don't</p> <p>11 recall who sent the communication to Mr. Ric to</p> <p>12 destroy the transceivers.</p> <p>13 Q. Were you copied on that communication?</p> <p>14 MR. BUNIS: Objection. Misstates</p> <p>15 his prior testimony.</p> <p>16 You can answer if you can.</p> <p>17 A. I don't recall.</p> <p>18 Q. Was Mr. Gill the author of that</p> <p>19 communication or the sender -- let me strike that.</p> <p>20 I'm asking you who send that communication,</p> <p>21 so we'll go -- you don't recall if it was you;</p> <p>22 correct?</p> <p>23 A. I don't recall at this point if it was me.</p> <p>24 Q. Could it have been you?</p>	<p style="text-align: right;">Page 200</p> <p>1 answered.</p> <p>2 You can answer if you recall. Don't</p> <p>3 speculate.</p> <p>4 A. I don't recall.</p> <p>5 Q. All right. Could it been -- I ask you</p> <p>6 about -- oh, you didn't tell me.</p> <p>7 Could it be David Gill?</p> <p>8 MR. BUNIS: Objection.</p> <p>9 You can answer the question.</p> <p>10 A. I don't recall.</p> <p>11 Q. Mr. Bartley, would you just agree with me</p> <p>12 in general that if somebody tells another person to</p> <p>13 destroy evidence in a pending criminal case, that</p> <p>14 would be a crime; no?</p> <p>15 MR. BUNIS: Objection. Calls for</p> <p>16 a legal conclusion. The witness is not competent to</p> <p>17 testify about what constitutes a crime or not.</p> <p>18 Q. As a layman -- as a layman -- as a layman,</p> <p>19 would you agree with me that deliberately destroying</p> <p>20 material evidence in a criminal investigation is</p> <p>21 itself a crime? Do you agree with me?</p> <p>22 MR. BUNIS: Objection. Calls for</p> <p>23 a legal conclusion. The witness is not competent to</p> <p>24 testify about that.</p>